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**FACSIMILE TRANSMITTAL**

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**TO:****FROM:**

**Name:** Mail Stop AMENDMENT  
Group Art Unit 3764/Examiner Michael Brown

**Name:** Thomas H. Martin, Esq.

**Firm:** U.S. Patent & Trademark Office

**Phone No.:** 330-877-2277

**Fax No.:** 571-273-8300

**No. of Pages (including this):** 4

**Subject:** U.S. Patent Application No. 10/740,747  
Gary Karlin Michelson  
Filed: December 19, 2003

**Date:** July 18, 2006

**IMPLANT WITH LOCKING THREAD  
CONFIGURATION FOR INSERTION  
BETWEEN BONE STRUCTURES**

**Confirmation Copy to Follow:** NO

Attorney Docket No. 102.0001-12000

Customer No. 22882

Confirmation No.: 4978

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**Message:****CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Transmittal Form (in duplicate) and Reply to Office Action are being facsimile transmitted to the U.S. Patent and Trademark Office on July 18, 2006.



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FORM PTO-1083

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JUL 18 2006

PATENT  
Attorney Docket No.: 102.0001-12000  
Customer Number 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary Karlin Michelson

Serial No: 10/740,747

Filed: December 19, 2003

For: **IMPLANT WITH LOCKING THREAD  
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Confirmation No.: 4978

Group Art Unit: 3764

Examiner: Michael brown

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


Dear Sir:

Transmitted herewith is a Reply to the Office Action of June 9, 2006 in the above-identified application.

- ☒ No additional fee is required.
- ☐ Applicant hereby requests a \*\*\*-month extension of time to respond to the above office action.
- ☐ The total amount of \$ \_\_\_ to cover the above fees is to be charged to Deposit Account No. 50-3726.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726. **A copy of this sheet is enclosed.**
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,  
MARTIN & FERRARO LLP

Date: July 18, 2006

By:   
Thomas H. Martin  
Registration No. 34,3831557 Lake O'Pines Street, NE  
Hartville, Ohio 44632  
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FORM PTO-1083

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JUL 18 2006

PATENT  
Attorney Docket No.: 102.0001-12000  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary Karlin Michelson

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- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,  
MARTIN & FERRARO LLP

Date: July 18, 2006

By: 

Thomas H. Martin

Registration No. 34,383

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PATENT  
Attorney Docket No. 102.0001-12000  
Customer No. 22882**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: ) Confirmation No.: 4978  
Gary Karlin Michelson )  
Serial No.: 10/740,747 ) Group Art Unit: 3764  
Filed: December 19, 2003 )  
For: IMPLANT WITH LOCKING THREAD ) Examiner: Michael A. Brown  
CONFIGURATION FOR INSERTION )  
BETWEEN BONE STRUCTURES )  
Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REPLY TO OFFICE ACTION**

In the Office Action dated June 9, 2006, the Examiner rejected claims 1, 10-15, 17-28, 30, and 31 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,026,373 to Ray et al.; and rejected claims 16 and 29 under 35 U.S.C. § 103(a) as being unpatentable over Ray '373 in view of U.S. Patent No. 4,961,740 to Ray et al. Ray '373 and Ray '740 are not prior art to the present application because they both have an earliest effective filing date October 17, 1988, which is after the earliest effective filing date of the present application of June 13, 1988. Thus, Applicant submits that the Examiner's rejections are moot, and that the claims are in condition for allowance.

If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 50-3726.

Respectfully submitted,  
MARTIN & FERRARO, LLP

Dated: July 18, 2006

By:   
Thomas H. Martin  
Registration No. 34,383

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Reply to Office Action 7-18-06.doc